

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:09-cr-00013-MR-WCM-9**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
YVONNE MARIE FOUNTAIN,)	
)	
Defendant.)	
<hr/>)	

THIS MATTER is before the Court upon the Defendant's request for an early termination of her term of supervised release [Doc. 963].

On July 9, 2009, the Defendant was found guilty by a jury of conspiracy to possess with intent to distribute cocaine and cocaine base, in violation of 21 U.S.C. §§ 841 and 846. [Doc. 297]. The Defendant was sentenced on August 25, 2009, to a term of 240 months of imprisonment, followed by a ten (10) year term of supervised release. [Doc. 349]. On February 14, 2019, the Court granted the Defendant's motion for a sentence reduction pursuant to the First Step Act of 2018. [Doc. 937]. Specifically, the Court reduced the Defendant's term of imprisonment to time served plus ten (10) days and reduced the Defendant's term of supervised release to eight (8) years. [Docs. 937, 940].

The Defendant now moves the Court to exercise its discretion and terminate her term of supervised release. [Doc. 963].

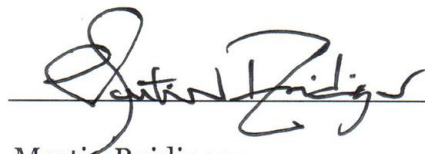
In order to terminate a defendant's term of supervised release, the Court must be "satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). In the present case, the Defendant has completed only nineteen months of her eight-year term of supervised release. While the Defendant's compliance with the terms and conditions of supervised release is commendable, the Court is not satisfied that termination is warranted at this time. Accordingly, the Court declines to exercise its discretion to terminate the Defendant's term of supervised release.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's request for an early termination of his term of supervised release [Doc. 963] is **DENIED WITHOUT PREJUDICE**. The Defendant's term of supervised release shall continue as originally sentenced.

The Clerk is directed to serve a copy of this Order on the Defendant, counsel for the Government, and the United States Probation Office.

IT IS SO ORDERED.

Signed: October 1, 2020


Martin Reidinger
Chief United States District Judge

